UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,212	01/12/2001	Han Tack-don	2834-36	8573

7590   01/26/2005

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EXAMINER
COULTER, KENNETH R

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication app ars on th cover sheet with the correspondence address* --

Period f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _01 September 2004_.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _4 and 20-34_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _4 and 20-34_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _01 September 2004_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ .

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Drawings

1.   In addition to Replacement Sheets containing the corrected drawing figure(s), applicant is required to submit a marked-up copy of each Replacement Sheet including annotations indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated Marked-up Drawings" and must be presented in the amendment or remarks section that explains the change(s) to the drawings. See 37 CFR 1.121(d). Failure to timely submit the proposed drawing and marked-up copy will result in the abandonment of the application.

Claim Rejections - 35 USC § 112

2.   Claim 4 recites the limitation "the data cells" in line 4; and recites the limitation "the data area" in lines 7 – 8.

There is insufficient antecedent basis for these limitations in the claim.

Claim Objections

3.   Claim 4 is objected to because of the following informalities: "a *party* area" (claim 4, line 3). Appropriate correction is required.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 4 and 20 – 34 are rejected under 35 U.S.C. 102(e) as being clearly

anticipated by Wilz et al. (U.S. Pat. No. 6,152,369).

5.1   Regarding claim 20, Wilz discloses an advertising method comprising the steps

of:

setting up a code conversion table in which a plurality of characters including

numerals and symbols are mapped to corresponding colors or shades (Fig. 4; Fig. 7A,

blocks C and D; col. 24, lines 14 – 20 "the Composition/Printing Module is used to

automatically generate a URL-encoded bar code symbol information structure …"; col.

4, lines 51 - 67);

receiving address information for providing a service of predetermined

advertisement (col. 34, lines 4 – 6 "Java-encoded bar code symbols can be applied to

consumer products in order to (i) access information pertaining to present or future

sales (e.g. specials) and/or **advertising**; …");

converting characters included in the address information into colors (black and

white) or shades (dark and light) according to the code conversion table (Fig. 7A, block

D "**GENERATE AN URL-ENCODED BAR CODE SYMBOL** INFORMATION

STRUCTURE FOR EACH WWW INFORMATION RESOURCE ...”; col. 24, lines 14 –

20 “the Composition/Printing Module is used to **automatically generate** a URL-

encoded bar code symbol information structure ...”; col. 4, lines 51 - 67);

combining the converted colors or shades to generate a code image which can

be physically or electronically represented (Fig. 4, item 40 (the bar code in the Internet

Browser Window); Fig. 7A, block D; col. 24, lines 14 – 20 “the Composition/Printing

Module is used to automatically generate a URL-encoded bar code symbol information

structure ...”; col. 4, lines 51 - 67).

5.2   Per claim 21, Wilz teaches that index information is assigned to the address

information and the index information is converted into colors or shades in the

converting step (col. 24, lines 14 - 26).

5.3   Regarding claim 22, Wilz discloses that the code image includes a data area

formed of data cells each of which is represented by a converted color or shade (Figs.

6A, 6B; col. 22, line 46 – col. 23, line 8).

5.4   Per claim 23, Wilz teaches a pattern including a vector line is used together with

colors or shades in the converting step (Abstract; Figs. 4, 6B).

5.5   Regarding claim 4, Wilz discloses that the code image further

comprising at least **one r mor** among:

a parity area, which is formed of at least one or more parity cells, for

providing parity information for confirming whether or not the colors or shades read

from the data cells are correctly recognized during decoding;

a reference area, which is formed of at least one or more reference cells, for

providing base colors or base shades for determining the colors or shades of data

cells formed in the data area; and

a control area, which is formed of at least one or more control cells, for

representing commands or services which can be provided by the information

represented in the data area (Figs. 6A, 6B; col. 22, line 46 – col. 23, line 8).

5.6   Per claim 24, <u>Wilz</u> teaches an advertising method comprising the steps of:

receiving a code image (bar code) in which colors (black and white) or shades

(dark and light) are represented (Abstract; Figs. 1B1, 1B2, 1B3 and 1B4);

extracting characters contained in the code image according to a code

conversion table in which a plurality of characters including numerals and symbols are

mapped to corresponding colors or shades (Figs. 1B1, 1B2, 1B3 and 1B4; col. 11, lines

39 - 60);

forming an address information for providing a predetermined advertisement

service, based on the extracted characters (Figs. 1B1, 1B2, 1B3 and 1B4; col. 11, lines

39 – 60; col. 34, lines 4 – 8 "Java-encoded bar code symbols can be applied to

consumer products in order to (i) access information pertaining to present or future

sales (e.g. specials) and/or **advertising**; ...");and

providing the advertisement service according to the address information via the

network (Figs. 1B1, 1B2, 1B3 and 1B4; col. 11, lines 39 – 60; col. 34, lines 4 – 8).

5.7   Regarding claims 25 – 34, the rejection of claims 20 – 24 and 4 under 35 USC

102(e) (paragraphs 5.1 – 5.6 above) applies fully.

Response to Arguments

6.   Applicant's arguments with respect to claims 4 and 20 - 34 have been considered

but are moot in view of the new ground(s) of rejection.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of
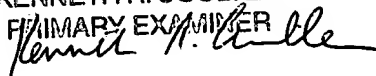
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on 5 4 9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KENNETH R. COULTER
PRIMARY EXAMINER

krc